GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

ENDOWMENTS DEPARTMENT – The Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Works Rules, 2002 (preliminary rules) - Final notification – Orders - Issued.

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REVENUE (ENDOWMENTS-I) DEPARTMENT

G.O.Ms.No.345 Dated 10-9-2015.
Read the following:-

1. G.O.Ms.No.344, Rev. (Endt.I) Dept., dt.17-6-2002.
2. From the Commissioner, Endowments Department, A.P. letter Rc. No.in DP1/7959/2015, dt.25-4-2015.

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ORDER :-

The following Notification shall be published in the Extraordinary issue of the Andhra Pradesh Gazette, dated 15-9-2015:-

FINAL NOTIFICATION

In exercise of the powers conferred by Sub Section (2) of Section 30 and 31 of the Andhra Pradesh Charitable and Hindu Religious Institutions andEndowments Act 1987 Andhra Pradesh (Act 30 of 1987), the Government of Andhra Pradesh hereby makes the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Departments Works Rules, as the same having been previously issued in G.O.Ms.No.344, Revenue(Endts.I) Department, Dated 17-6-2002 and published in Part-I, Extraordinary, Andhra Pradesh Gazette No.46, dt.24-9-2002 as required under sub-section (1) of Section 153 of the said Act.

RULES

1. Short Title : (1) These rules may be called the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Works Rules, 2015.

(2) These rules shall be deemed to have come into force on the date appointed.

(3) These rules are issued in supersession of work rules issued in Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Works Rules, 1975.

2. Definitions: In these rules, unless the context otherwise requires,

(1)**'Act'** means Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act,1987.

(2)**'Administrative Approval'** means an order denoting formal acceptance of proposal for incurring of any expenditure and to execute any work at a stated sum to meet the needs of the Institution

(3)**'Appropriate Authority'** means:-

(p.t.o.)

(i) **in respect of institutions and Endowments falling under clause (c) of section 6**,

(a) If the value of the estimate does not exceed Rs.50,000/-, the Assistant Commissioner

(b) If the value of the estimate exceeds Rs.50,000/- but does not exceeds Rs.2,00,000/- , the Deputy Commissioner.

(c) If the value of the estimate exceeds Rs.2,00,000/- but does not exceed Rs.10,00,000/-, the Regional Joint Commissioner

(d) Any estimate above Rs.10,00,000/-, the Commissioner.

(ii) **in respect of institutions and Endowments falling under clause (b) of section 6,**

(a) If the value of the estimate does not exceed Rs.2,00,000/-, the Deputy Commissioner.

(b) If the value of the estimate exceed Rs.2,00,000/- but does not exceed Rs.10,00,000/- , the Regional Joint Commissioner.

(c) Any estimate above Rs.10,00,000/-, the Commissioner.

(iii) **In respect of institutions and Endowments falling under clause (a), (d) & (e) of section 6 :**

(a) Which are being managed by the Executive Officers of the cadre of Regional Joint Commissioner, Deputy Commissioner and Assistant Commissioner of Endowments Department:

Value in Rs.	Power		
	A.C. cadre Institutions	D.C. cadre Institutions	R.J.C. cadre Institutions
Up to 50,000	Executive Officer	Executive Officer	Executive Officer
50,000 to 2,00,000	Addl Commissioner	Executive Officer	Executive Officer
2,00,000 to 10,00,000	Addl Commissioner	Addl Commissioner	Executive Officer
Above Rs.10,00,000/-	Commissioner	Commissioner	Commissioner

(b) In respect of the remaining institutions and Endowments falls under Clause (a) (d) & (e) of section 6 of the Act:

Value in Rs.	Power
	Institutions other than A.C/D.C/ R.J.C Cadre
Up to 5,00,000	Regional Joint Commissioner
Above 5,00,000/-	Commissioner

(3) **"Technical sanction"** means an order passed by the competent authority sanctioning a detailed estimate of the cost of a work of construction or repair proposed to be carried out.

(contd. p. 3)

(4) **"Work"** means work relating to the construction, repair, alteration, extension, conservation or renovation of temple or any building or other structure belonging to a Charitable or religious institution or endowment including its premises or work relating to agriculture or irrigation of lands, tanks owned by the institution or endowment, or works entrusted by other organization.

4. "Annual Report" on works to be carried out:-

The Executive Officer or trustee of a Charitable or religious institution or endowments shall submit to the appropriate authority, six months before the end of each financial year, an Annual Report on works to be carried out. The report shall contain the works which are desirable or necessary to be carried out during the succeeding financial year setting out the need for, and the details of the works or supplies or services and giving a estimate of the expenditure involved and the manner in which the expenditure on the works or supplies or services is proposed to be met;

Provided that in the case of works or supplies or services requiring immediate attention, the Executive Officer or Trustee may submit the report at any time during the year and obtain necessary sanction.

5. Works of silpi nature:-

(1) Proposals in regard to silpi works shall be carried out in consultation with the Assistant Stapathy / Deputy Stapathy / Stapathy / Mukhya Stapathi of the Department as the case may be with due regard to the principles and practice of traditional architecture and ancient silpa sastras and keeping in mind the need for preserving architectural, Sculptural and archeological features.

(2) White washing and painting shall not be done to any granite or stone structure. The structure, inscriptions and other sculptural works shall be maintained in their natural state and periodically cleaned.

6. Execution of works by devotees / Donors :-

(1) Whenever a devotee or other person offers to donate the cost of or execute any works, the Executive Officer or Trustee shall obtain from him the details of his proposals and, if he proposes to undertake the work himself, a statement showing the manner in which the necessary finances for the execution of works will be made available and the time within which the works will be completed and forward the details of the statement along with one set of copies of the plans, elevations and sections of the relevant works with specifications to the appropriate authority for approval and to execute accordingly, under the supervision of the departmental engineers / stapathies.

(2) in the case of worshipper donating the cost for undertaking the execution of any works, unless otherwise permitted by the Commissioner under rule 7 (1), the works shall not be commenced unless the worshipper deposits in advance the entire estimated cost of the work, in the manner specified by the Commissioner.

7. Preparation of plans and estimates for works:-

(1) On the appropriate authority approving to the proposal of the Executive officer or trustee to execute the works or to supply materials, goods, articles or service from the funds of the institution or endowments or

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with a donation made by a devotee or other person, the Executive Officer or trustee shall prepare detailed estimates for the works or supplies or services proposed, make provision in the budget for the proposed expenditure and submit the estimate along with plans if any, to the appropriate authority.

(2) Detailed plans and estimates shall be prepared, technically sanctioned, recording of measurements and check/super check measurement of the works conducted by the persons possessing the qualifications and the status in Annexure 1A and 1B and notes appended to these rules.

8. Sanctioning Authority:-

The appropriate authority may sanction the works submitted under sub-rules of 7 (1) with such modifications and conditions as deem fit.

9. Estimate for works:-

The estimate shall consist of :

(1) Specification report duly explaining the necessity and salient features of the estimate.
(2) A data sheet of rates.
(3) A detailed estimate of measurements and quantities,
(4) An abstract showing estimated cost of each item
(5) Site plans showing the existing & proposed work
(6) Detailed plans showing the elevations and sections with trial pit particulars.
(7) In respect of Renovation works, Photos of the existing structure
(8) Detailed designs of structural components.
(9) Sub-soil exploration, & Safe bearing capacity of soils.

In the case of all works of original nature, the estimate shall be accompanied by a plan, elevation and section along with structural designs and particulars relevant to the work.

10. Execution of works:-

(1) The appropriate authority shall call for tenders for the works sanctioned administratively.

(2) The Executive Officer or the Trustee as the case may be, shall not undertake or commence any work, without the sanction of the appropriate authority.

Provided that minor works costing up to Rs.30,000/- which cannot be postponed owing to the urgency, may be executed in anticipation of the sanction applied for.

In the case of works of Vimanams, Rajagopurams, temple structures, stone mandapams etc, the works shall only be entrusted and executed by competent Registered Stapathis and Registered Contractors who are well versed and experienced in the Art and Silpi nature of works.

11. Tenders to be called for:-

Tenders shall be called for where the amount involved is Rs.30,000/- or more. Where the amount involved is less than Rs.30,000/- the Executive Officer or Trustee may, with the previous approval of the appropriate

(contd. p.5)

authority dispense with the calling of tenders. If the value of the work is more than Rs.5 lakhs, 'E' tenders shall be called for.

Provided that, in the case of works and supplies referred to in Annexure-II tenders may not be called for.

Provided further that the Tender documents have to be prepared as per Annexure-III and IV.

Provided that where favorable tenders are not received in two calls, departmental execution or K2 or L.S agreements may be opted with the approval of the competent authority as specified in Annexure – 1D.

12. <u>Incompetency of certain persons in participating tenders:</u>

(1) No trustee or an office holder or servant attached to an Endowment institution or person in receipt of any emolument or pre-requisites from the institution or endowment attached to it or from a person belonging to a Hindu Undivided Family, a member of which is trustee, office holder or servant or a person in receipt of any such emolument or prerequisite or from any such directly or indirectly connected with Government or any endowment institution service is eligible to participate in tenders and execute the works in any endowment institution. Any person or organization which is under black list for the time being in any Government, semi-Government or in any endowment institution of the State are also debarred from participation in tenders.

(2) No person who is not a practicing Hindu is eligible to participate in the Tenders or otherwise and execute any work.

13. <u>Scrutiny of tenders</u>:-

a) After the receipt of the comparative statement with all tender documents and before the selection of tender, the Chairman or the Executive Officer shall examine all the tenders in consultation with Engineers of the department and satisfy himself that no corrections which were not in the tenders at the time he received them had been in any of them.

b) All tender documents shall be treated as highly confidential documents and shall be under the safe custody of Executive Officer / Chairman.

14. <u>Acceptance of tenders:-</u>

1. All tenders for works or supplies or purchases connected with the works shall be placed before and shall be considered at a meeting of the trustee or Board of Trustees, when ever exists. Ordinarily, the lowest tender shall be accepted. All the tender documents with comparative statements shall be submitted to the competent sanctioning authority through the concerned engineering personnel who accorded technical sanction with his specific recommendation for reasonability and the recommendation of the Board of Trustees or Executive Officer as the case may be for acceptance as specified in the Annexure-1 (C)

2. Works may be let out on nomination at estimated rates whose value costing up to Rs.30,000/- to registered contractor in consultation with the Engineers concerned as specified in the annexure I- (D).

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15. Contracts on behalf of Institution:-

Every contract made on behalf of an institution or Endowments shall be in writing in the form specified in Article 168 of the Andhra Pradesh Financial code, Volume-I for Departments other than the Public Works Department. The terms of the contract shall not be varied under any circumstances without the approval of the appropriate authority.

16. Execution of Contract:-

A contract shall be executed by the person whose tender has been accepted and confirmed under these rules and on behalf of the institution or Endowment by such person as may be authorized by the Chairman of the Board of Trustees or by the Trustee or by the Executive Officer, as the case may be.

17. Schedule of rates:-

The schedule of rates in the Public Works Department, R&B Department, Irrigation department, Public health department, Silpi SSR and data of Endowments Department for the relevant items. For the items not covered by the SSR, the Executive Engineer has to finalize the rate by calling of tenders or by obtaining quotations in the concerned district and may be followed for a period of one year.

18. Inspection of works:-

All works shall be subject to supervision, control and inspection by the regular engineering personnel of the department and quality control wing as and when the appropriate authority deems fit and the said authority may at any stage of the execution, order such check measurement and control as may be deemed essential before the works are further proceeded with or before further expenditure is incurred.

19. Co-operation to Officers, etc., for inspection of works:-

The Trustee or the Executive Authority shall be bound to give to the appropriate and competent authorities all facilities for inspection, supervision, verification and check measurement in the discharge of its functions and carryout directions in this behalf.

20. Payment of P.S charges

The Petty Supervision charges payable to the staff for supervision of the works etc., shall , on sanction of the appropriate authority, to be paid by the Trustee or the Executive Authority of the institution or endowments concerned .

The Commissioner is competent to appoint a qualified works Inspector whose salary is debitable to P.S. Charges. When more than one work is included for the Work Inspector, his salary shall be borne by all such institutions and Endowments in such proportion as the Commissioner or the appropriate authority may deem fit .

21. Essential Works

If the appropriate authority is satisfied that the works are necessary, he may direct the trustee or Executive Authority to incur the necessary expenditure and carry out such works, and the Trustee or the Executive

(contd. p.7)

Authority shall be bound to carry out the same. The appropriate authority is competent to approve the works taken up by the executive authorities in good faith in case of urgency in the interest of the endowment institution or for the welfare of the devotees or works taken up as per the orders of the District Administration during jathara or festival days.

22. Maintenance of Registers, accounts etc., in respect of building works:-

The Trustee or Executive Officer shall maintain such books, registers, accounts, vouchers and records in respect of the works or supplies or services as per PWD accounts code and financial code and shall make such reports, as the appropriate authority may be general or special order direct.

23. Care of structures:-

It shall be the duty of the trustee or Executive Authority to ensure that utmost care is taken of the architectural, sculptural and archaeological features on every structure in the institution or endowment or on its lands in his charge.

24. Consultation with Archaeological department :

Whenever the Commissioner finds it desirable or necessary, he may order the Trustee or Executive Authority to consult the Archaeological Survey of India or Archaeological Department of the State or reputed organizations working in this field and after obtaining such reports pass necessary orders on matters relating to any work.

25. Protection of Antiquities and ancient structures :-

No Trustee or Executive Authority shall remove, replace, repair, alter , destroy, sell, gift or exchange any antiquities, metallic or other idol or image in any institution or other object of interest, like jewels, vahanams, or other movables, sculptures, inscriptions or paintings or ancient structures without the previous permission of the Commissioner in writing and such permission shall be accorded only on obtaining Agama and technical expert advice thereof.

26. Functional Job chart :-

The Engineering and Silpi wing of the Endowments Department have to act and discharge their duties as per the functional job chart appended to these Rules vide Annexure-V or as revised or proposed by the Commissioner from time to time. They have to work under the overall supervision of the Commissioner.

27. Change of monetary limits:-

The Commissioner is competent to alter the financial limits prescribed in these Rules and in its Annexures from time to time.

28. Approval of Master plan:-

The Commissioner is competent to approve the Master Plan to any Temple or Math or any Endowment institution keeping in view of its overall development and future needs after receipt of proposals from the Trustee or Executive Authority or on suo moto after consulting and obtaining such Agama and technical advise thereof. The Commissioner is also competent to fix or earmark the pre-emption area in case of major temples or Maths or other institutions having financial capacity.

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29. Preparation of panel of experts:-

The Commissioner may constitute separate panels for architects, interior designers, landscaping experts, electrical experts and other relevant subject experts and may direct the Executive Authorities to utilize their services as and when required on payment of remuneration prescribed from time to time.

30. Construction of Sub Temples:-

No Trustee or Executive Authority or any other person shall build a new temple in the premises of an old temple complexes except with the prior permission of the Government.

31. Issue of directions by Government in case of buildings etc., :-

(1) Notwithstanding anything contained in the foregoing Rules, the Government may direct any Architect in Government services or any qualified Engineer not below the rank of an Executive Engineer of the Government to inspect or supervise the design for execution of key works and on consideration of report, direct the execution of such works with necessary deviations from any plans.

(2) The officers referred in the sub-rule (1) shall be eligible to draw traveling and daily allowances according to the Andhra Pradesh Traveling Allowance Rules for the time being in force and inspection fee at the rate fixed for inspection by Government officers of the public works department in different grades. The traveling allowances, the daily allowance and the fees shall be paid by the Trustee or Executive Authority of the institution concerned .

(3) The Trustee or Executive Authority shall be bound to give the officers referred to the sub-rule (1), all facilities for inspection, supervision, certification and check-measurement and shall carry out their directions after receiving them from appropriate authority.

32. Issue of directions by Government in respect of tanks etc., :

(1) The Government may direct that any irrigation source, tanks or canal belonging to an institution or endowment shall be inspected by an Engineer, in Government service not below the rank of an Executive Engineer of Irrigation Department and on consideration of any report called for from such officers , direct the trustee or Executive Authority concerned through the Commissioner, take such steps as it may deem fit for the improvement of the irrigation sources, tank or canal and the Trustee or Executive Authority shall be bound to carry them out.

(2) The officer referred to under sub-rule (1) shall be eligible to draw traveling and daily allowance according to the Andhra Pradesh Traveling Allowance Rules for the time-being in force and the Inspection fee at the fixed for inspection by Government officers of the public works department in different grades. The fees and allowances shall be paid by the Trustee or Executive Authority of the institution concerned.

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(3) The Trustee or Executive Authority shall be bound to allow the officer directed by the Government under sub-rule (1) to inspect and shall afford all facilities to the said officer for such inspection and shall carry out such directions as may be issued under sub-rule (1).

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.S.V. PRASAD
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationary and Stores Purchase, Hyderabad (For Publishing the notification in the next issue of A.P. Gazette. He is requested to supply 50 copies to Government and 50 copies to the Commissioner, Endowments,A.P. Hyderabad).

Copy to:
The Commissioner, Endowments Department,A.P. Hyderabad.
The P.S. to Minister (Endowments).
The Revenue (Endts.II, III) Department.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER